

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	
	§	Case No. 22-31641-mv-7
GOODMAN NETWORKS, INC.	§	
	§	(Chapter 7)
Debtor.	§	
	§	
SCOTT M. SIEDEL, TRUSTEE	§	
	§	
Plaintiff,	§	ADVERSARY PROCEEDING
	§	NO: 23-03090-mvl
v.	§	
	§	
HUDSON CLEAN ENERGY	§	
ENTERPRISES, LLC, ALLIANCE TEXAS	§	
HOLDINGS, LLC; NEIL Z. AUERBACH,	§	
JUDITH AUERBACH, AUERBACH	§	
PARTNERS, L.P, JAMES GOODMAN,	§	
JAMES FRINZI, GOODMAN	§	
INVESTMENT HOLDINGS, LLC,	§	
GENESIS NETWORKS, INC., GENESIS	§	
NETWORKS GLOBAL SERVICES, LLC,	§	
AUERBACH CHILDREN'S DYNASTY	§	
TRUST U/A/D OCTOBER 9, 2012, and	§	
AUERBACH FAMILY DYNASTY TRUST	§	
U/A/D OCTOBER 9, 2012,	§	
	§	
Defendant(s).	§	

WICK PHILLIPS' WITNESS AND EXHIBIT LIST

Wick Phillips Gould & Martin, LLP ("WPGM") hereby files this Witness and Exhibit List in connection with the hearing scheduled for **Wednesday May 1, 2024 at 9:30 a.m.** before the Honorable Michelle V. Larson, United States Bankruptcy Court for the Northern District of Texas, 1100 Commerce Street, 14th Floor, Courtroom No. 2, Dallas, Texas 75242.

WITNESSES

WPGM may call the following witnesses at the hearing, live or by declaration:

1. Jason M. Rudd;
2. All witnesses called by any other party; and
3. Any witnesses necessary for rebuttal depending upon the witnesses and evidence presented by other parties.

EXHIBITS

WPGM designates the following exhibits:

<u>No.</u>	<u>Description</u>	<u>Offered</u>	<u>Objection</u>	<u>Admitted</u>
1.	Unopposed Motion to Withdraw as Counsel of Record [ECF No. 23]			
2.	Notice of Hearing [ECF No. 25]			

WPGM reserves the right to use any exhibits presented by any other party. WPGM also reserves the right to use and present demonstratives for any purpose. WPGM also reserves the right to use exhibits, demonstratives, and testimony not listed here for impeachment or rebuttal purposes at the hearing.

WPGM reserves the right to further supplement or amend this Witness and Exhibit List at any time prior to the hearing.

Dated: April 26, 2024

Respectfully submitted,

/s/ Jason M. Rudd

Jason M. Rudd, Tex. Bar No. 24028786

Paul T. Elkins, Tex. Bar No. 24092383

WICK PHILLIPS GOULD & MARTIN, LLP

3131 McKinney Avenue, Suite 500

Dallas, TX 75204

Phone: (214) 692-6200

Fax: (214) 692-6255

Email: jason.rudd@wickphillips.com

paul.elkins@wickphillips.com

**COUNSEL FOR DEFENDANT JAMES
FRINZI**

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2024, I electronically filed the foregoing with the clerk of the court using the CM/ECF system and have served a copy of the same to the following parties or their counsel via the method(s) indicated below:

Davor Rukavina

Thomas D. Berghman

MUNSCH HARDT KOPF & HARR, P.C.

3800 Ross Tower

500 N. Akard Street

Dallas, TX 75201

 X

Hand Delivery

Regular Mail

Facsimile

E-mail

CM/ECF

Counsel for the Scott Seidel, Chapter 7 Trustee

James Frinzi

3736 Bee Cave Road, Suite 1164

Austin, Texas 78746

James@frinzi.net

 X

 X

Hand Delivery

Regular Mail

Facsimile

E-mail

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/s/ Jason M. Rudd

Jason M. Rudd

EXHIBIT 1

**IN THE UNITED STATES BANKRUPTCY COURT
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JUDITH AUERBACH, AUERBACH	§	
PARTNERS, L.P, JAMES GOODMAN,	§	
JAMES FRINZI, GOODMAN	§	
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GENESIS NETWORKS, INC., GENESIS	§	
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AUERBACH CHILDREN’S DYNASTY	§	
TRUST U/A/D OCTOBER 9, 2012, and	§	
AUERBACH FAMILY DYNASTY TRUST	§	
U/A/D OCTOBER 9, 2012,	§	
	§	
Defendant(s).	§	

UNOPPOSED MOTION TO WITHDRAW AS COUNSEL OF RECORD

Wick Phillips Gould & Martin, LLP (“WPGM”) files this Unopposed Motion to Withdraw as Counsel (the “Motion”) for Defendant James Frinzi (“Mr. Frinzi”).

1. WPGM seeks to withdraw from representing Mr. Frinzi in this case. WPGM is owed substantial fees and expenses under its engagement letter.

2. Pursuant to Local Bankruptcy Rule 2091-1, Mr. Frinzi agrees to WPGM's withdrawal and executed this Motion below. Mr. Frinzi has not retained successor counsel and his contact information is as follows:

- a. Name: Mr. James Frinzi
 - b. Address: 3736 Bee Cave Road, Suite 1164 Austin, Texas 78746
 - c. Telephone Number: (202) 430-4500
3. This request to withdraw is not made for purposes of delay.

WHEREFORE, WPGM respectfully requests this Court to (i) grant the Motion, (ii) enter the proposed order attached as **Exhibit A** to permit WPGM to withdraw as counsel to Mr. Frinzi, (iii) and grant WPGM such other and further relief to which it may be justly entitled, both at law and equity.

Executed: _____

James Frinzi

Dated: April 23, 2024

Respectfully submitted,

/s/ Jason M. Rudd

Jason M. Rudd, Tex. Bar No. 24028786

Paul T. Elkins, Tex. Bar No. 24092383

WICK PHILLIPS GOULD & MARTIN, LLP

3131 McKinney Avenue, Suite 500

Dallas, TX 75204

Phone: (214) 692-6200

Fax: (214) 692-6255

Email: jason.rudd@wickphillips.com

paul.elkins@wickphillips.com

**COUNSEL FOR DEFENDANT JAMES
FRINZI**

CERTIFICATE OF CONFERENCE

Local Bankruptcy Rule 7007-1, I hereby certify that on April 18, 2024, I conferred by phone with Davor Rukavina, Counsel for Scott Seidel, Chapter 7 Trustee and Plaintiff. The Trustee does not oppose this Motion.

/s/ Jason M. Rudd

Jason M. Rudd

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2024, I electronically filed the foregoing with the clerk of the court using the CM/ECF system and have served a copy of the same to the following parties or their counsel via the method(s) indicated below:

Davor Rukavina

Thomas D. Berghman

MUNSCH HARDT KOPF & HARR, P.C.

3800 Ross Tower

500 N. Akard Street

Dallas, TX 75201

 X

Hand Delivery

Regular Mail

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CM/ECF

**Counsel for the Scott Seidel,
Chapter 7 Trustee**

James Frinzi

3736 Bee Cave Road, Suite 1164

Austin, Texas 78746

James@frinzi.net

 X

 X

Hand Delivery

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CM/ECF

/s/ Jason M. Rudd

Jason M. Rudd

EXHIBIT A
Proposed Order

**IN THE UNITED STATES BANKRUPTCY COURT
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ENTERPRISES, LLC, ALLIANCE TEXAS	§	
HOLDINGS, LLC; NEIL Z. AUERBACH,	§	
JUDITH AUERBACH, AUERBACH	§	
PARTNERS, L.P, JAMES GOODMAN,	§	
JAMES FRINZI, GOODMAN	§	
INVESTMENT HOLDINGS, LLC,	§	
GENESIS NETWORKS, INC., GENESIS	§	
NETWORKS GLOBAL SERVICES, LLC,	§	
AUERBACH CHILDREN’S DYNASTY	§	
TRUST U/A/D OCTOBER 9, 2012, and	§	
AUERBACH FAMILY DYNASTY TRUST	§	
U/A/D OCTOBER 9, 2012,	§	
	§	
Defendant(s).	§	

ORDER GRANTING UNOPPOSED MOTION TO WITHDRAW AS COUNSEL OF RECORD

Came on consideration the Unopposed Motion to Withdraw as Counsel, filed by Wick Phillips Gould & Martin, LLP ("WPGM"), in the above-captioned case. The Court finds that proper notice of the Motion has been provided and good cause exists to permit WPGM to withdraw as counsel for Defendant James Frinzi ("Mr. Frinzi"). Therefore, it is hereby:

ORDERED that the Motion is GRANTED; it is further

ORDERED that the Clerk of this Court and all parties are directed to remove WPGM as counsel for Mr. Frinzi on the docket and any applicable service list, including the Court's CM/ECF electronic notification list, maintained in the Bankruptcy Case.

ORDERED Mr. Frinzi may be contacted as follows: 3736 Bee Cave Road, Suite 1164 Austin, Texas 78746, James@frinzi.net.

END OF ORDER

PREPARED AND SUBMITTED BY:

Jason M. Rudd, Tex. Bar No. 24028786
Paul T. Elkins, Tex. Bar No. 24092383
WICK PHILLIPS GOULD & MARTIN, LLP
3131 McKinney Avenue, Suite 500
Dallas, Texas 75204
Telephone: (214) 692-6200
Facsimile: (214) 692-6255
jason.rudd@wickphillips.com
paul.elkins@wickphillips.com

EXHIBIT 2

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
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	§	Case No. 22-31641-mv-7
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Debtor.	§	
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	§	
Plaintiff,	§	ADVERSARY PROCEEDING
	§	NO: 23-03090-mvl
v.	§	
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HUDSON CLEAN ENERGY	§	
ENTERPRISES, LLC, ALLIANCE TEXAS	§	
HOLDINGS, LLC; NEIL Z. AUERBACH,	§	
JUDITH AUERBACH, AUERBACH	§	
PARTNERS, L.P, JAMES GOODMAN,	§	
JAMES FRINZI, GOODMAN	§	
INVESTMENT HOLDINGS, LLC,	§	
GENESIS NETWORKS, INC., GENESIS	§	
NETWORKS GLOBAL SERVICES, LLC,	§	
AUERBACH CHILDREN'S DYNASTY	§	
TRUST U/A/D OCTOBER 9, 2012, and	§	
AUERBACH FAMILY DYNASTY TRUST	§	
U/A/D OCTOBER 9, 2012,	§	
	§	
Defendant(s).	§	

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Court has scheduled a hearing on **May 1, 2024 at 9:30 a.m.** to consider *Unopposed Motion to Withdraw as Counsel of Record* [Docket No. 23]. The hearing will be hybrid before the Honorable Michelle V. Larson, United States Bankruptcy Court for the Northern District of Texas, 1100 Commerce Street, 14th Floor, Courtroom No. 2, Dallas, Texas 75242.

For WebEx Video Participation/Attendance:

Link: <https://us-courts.webex.com/meet/larson>

For WebEx Telephonic Only Participation/Attendance:

Dial-In: 1.650.479.3207

Access code: 160 135 6015

Dated: April 24, 2024

Respectfully submitted,

/s/ Jason M. Rudd

Jason M. Rudd, Tex. Bar No. 24028786

Paul T. Elkins, Tex. Bar No. 24092383

WICK PHILLIPS GOULD & MARTIN, LLP

3131 McKinney Avenue, Suite 500

Dallas, TX 75204

Phone: (214) 692-6200

Fax: (214) 692-6255

Email: jason.rudd@wickphillips.com

paul.elkins@wickphillips.com

**COUNSEL FOR DEFENDANT JAMES
FRINZI**

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2024, I electronically filed the foregoing with the clerk of the court using the CM/ECF system and have served a copy of the same to the following parties or their counsel via the method(s) indicated below:

Davor Rukavina	_____	Hand Delivery
Thomas D. Berghman	_____	Regular Mail
MUNSCH HARDT KOPF & HARR, P.C.	_____	Facsimile
3800 Ross Tower	_____	E-mail
500 N. Akard Street	_____	CM/ECF
Dallas, TX 75201	<u> X </u>	

Counsel for the Scott Seidel, Chapter 7 Trustee

James Frinzi	_____	Hand Delivery
3736 Bee Cave Road, Suite 1164	<u> X </u>	Regular Mail
Austin, Texas 78746	_____	Facsimile
James@frinzi.net	<u> X </u>	E-mail
	_____	CM/ECF

/s/ Jason M. Rudd

Jason M. Rudd

WebEx Hearing Instructions

Judge Michelle V. Larson

Pursuant to General Order 2023-05 issued by the Court on September 19, 2023, certain hearings before Judge Michelle V. Larson will be conducted by WebEx videoconference.

For WebEx Video Participation/Attendance:

Link: <https://us-courts.webex.com/meet/larson>

For WebEx Telephonic Only Participation/Attendance:

Dial-In: 1.650.479.3207

Access code: 160 135 6015

Participation/Attendance Requirements:

- Counsel and other parties in interest who plan to actively participate in the hearing are encouraged to attend the hearing in the WebEx video mode using the WebEx video link above. Counsel and other parties in interest who will not be seeking to introduce any evidence at the hearing and who wish to attend the hearing in a telephonic only mode may attend the hearing in the WebEx telephonic only mode using the WebEx dial-in and meeting ID above.
- Attendees should join the WebEx hearing at least 10 minutes prior to the hearing start time. Please be advised that a hearing may already be in progress. During hearings, participants are required to keep their lines on mute at all times that they are not addressing the Court or otherwise actively participating in the hearing. The Court reserves the right to disconnect or place on permanent mute any attendee that causes any disruption to the proceedings. For general information and tips with respect to WebEx participation and attendance, please see Clerk's Notice 20-04: https://www.txnb.uscourts.gov/sites/txnb/files/hearings/Webex%20Information%20and%20Tips_0.pdf
- **Unless the Court orders otherwise, witnesses are required to attend the hearing in the WebEx video mode and live testimony will only be accepted from witnesses who have the WebEx video function activated.** Telephonic testimony without accompanying video will not be accepted by the Court.
- All WebEx hearing attendees are required to comply with Judge Larson's Telephonic and Videoconference Hearing Policy (included within Judge Larson's Judge-Specific Guidelines): <https://www.txnb.uscourts.gov/content/judge-michelle-v-larson-0>

Exhibit Requirements:

- Any party intending to introduce documentary evidence at the hearing must file an exhibit list in the case prior to the hearing, with a true and correct copy of each designated exhibit filed as a separate, individual attachment thereto so that the Court and all participants have ready access to all designated exhibits.
- If the number of pages of such exhibits exceeds 100, then such party must also deliver two (2) sets of such exhibits in exhibit binders to the Court by no later than twenty-four (24) hours in advance of the hearing.

Notice of Hearing Content and Filing Requirements:

IMPORTANT: For all hearings that will be conducted by WebEx only:

- The Notice of Hearing filed in the case and served on parties in interest must: (1) provide notice that the hearing will be conducted by WebEx videoconference only, (2) provide notice of the above WebEx video participation/attendance link, and (3) attach a copy of these WebEx Hearing Instructions or provide notice that they may be obtained from Judge Larson's hearing/calendar site: <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-larson-hearing-dates>
- When electronically filing the Notice of Hearing via CM/ECF select "at https://us-

- **Notice to Members of the Public.** While the Judicial Conference of the United States relaxed its broadcasting policies during the COVID-19 Pandemic due to restrictions placed on in-person attendance at hearings and trials, these policies will expire and no longer be in effect after September 21, 2023. As a result, after September 21, 2023, remote *video* access to Court hearings shall *only be available for case participants* (parties-in-interest and their professionals) and non-case participants are not permitted to attend any hearing by remote *video* means. In certain circumstances, non-case participants may be permitted to attend proceedings by remote *audio* means, but only if no witness testimony is to be provided. The presiding judge may take any action deemed necessary or appropriate to address any unauthorized remote attendance at a hearing or trial. For the avoidance of doubt, members of the public will continue to generally be permitted to attend proceedings in person, in the courtroom.